



February 24, 2011

**Via Overnight Delivery and**  
**Electronic Mail to [vargas.noel@epa.gov](mailto:vargas.noel@epa.gov)**

U.S. Environmental Protection Agency – Region 5  
Attention: Noel Vargas  
Water Enforcement and Compliance Assurance Branch, WC-15J  
77 West Jackson Boulevard  
Chicago, Illinois 60604

RE: Request for Information Pursuant to Section 308 of the Clean Water Act (33 U.S.C. §1318)  
regarding The Ohio Valley Coal Company – Powhatan Mine  
Docket No.: V-W-11-308-10

Dear Ms. Vargas:

I am writing in regard to the above noted Clean Water Act Section 308 Request for Information (the “Request”) issued by the U.S. Environmental Protection Agency (“USEPA”) to The Ohio Valley Coal Company. Our initial review of the Request indicates that we will need to contact USEPA in order to obtain clarification of certain issues and confirm our understanding of USEPA’s inquiries. We will be in touch with USEPA shortly in this regard.

Nevertheless, subject to obtaining clarification of any issues as noted above and subject to any applicable privileges or exceptions, this letter shall confirm the intention of The Ohio Valley Coal Company to cooperate and comply with the above referenced Request.

Please let me know if you have any questions.

Sincerely,

Paul B. Piccolini  
Vice President